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5 UNITED STATES DISTRICT COURT
6 DISTRICT OF NEVADA
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8 UNITED STATES OF AMERICA,) 2:06-cr-00367-HDM-PAL
9 Plaintiff,) 2:12-cv-02201-HDM
10 vs.) ORDER
11 ELLIOTT DAUGHERTY,)
12 Defendant.)
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14 On December 13, 2012, defendant filed a second motion for
15 relief pursuant to 28 U.S.C. § 2255 (#73). On December 17, 2012,
16 the court dismissed defendant's motion on the grounds that it
17 lacked jurisdiction to consider the second or successive § 2255
18 petition (#74). On December 26, 2012, the defendant filed another
19 document asserting claims under § 2255 (#75). It is unclear
20 whether defendant intended to file yet another § 2255 motion or
21 whether he intended the document to supplement his December 13,
22 2012 petition. Either way, the court is without jurisdiction to
23 consider the defendant's claims for the same reasons set forth in
24 its order dated December 17, 2012. Accordingly, defendant's § 2255
25 motion (#75) is hereby **DISMISSED**.

26 DATED: This 16th day of January, 2013.

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28 UNITED STATES DISTRICT JUDGE